

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FREDERICK LAMONT MOORE,

Petitioner,

v.

MIKE PARRIS,

Respondent.

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No. 1:14-cv-01162-JDB-egb

ORDER DENYING PETITIONER'S SECOND MOTION FOR STAY AND ABEYANCE

On July 15, 2014, Petitioner, Frederick Lamont Moore, Tennessee Department of Correction prisoner number 216108, an inmate at the Northwest Correctional Complex ("NWCX") in Tiptonville, Tennessee, filed a *pro se* Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody ("§ 2254 Petition"), accompanied by the habeas filing fee. (§ 2254 Pet., D.E. 1; Case Initiation Fee, D.E. 2.) On September 8, 2014, Moore filed a Motion for Stay and Abeyance, which sought to stay this action pending the completion of his efforts to exhaust his claims in state court. (Mot. for Stay and Abeyance, D.E. 4.) In an order issued on October 7, 2014, the Court denied the motion without prejudice because it did not identify any pending state-court proceeding and directed Respondent, NWCX Warden Mike Parris, to file the state-court record and a response to the Petition. (Order, ECF No. 5.)

On December 24, 2014, Petitioner filed a Second Motion for Stay and Abeyance, which asked that this matter be stayed until the completion of proceedings in state court pertaining to a petition for a writ of habeas corpus and a petition for writ of error coram nobis. (Pet'r's 2d Mot. for Stay and Abeyance, ECF No. 9.) Warden Parris did not respond to this motion. Because the Tennessee Court of Criminal Appeals has now ruled in both of Moore's pending cases, *see Moore*

v. State, No. W2014-01740-CCA-R3-ECN, 2015 WL 1647961 (Tenn. Crim. App. Apr. 9, 2015);
Moore v. Parris, No. W2014-02128-CCA-R3-HC, 2015 WL 1454356 (Tenn. Crim. App. Mar. 27,
2015), Petitioner's Second Motion for Stay and Abeyance is DENIED.

IT IS SO ORDERED this 22nd day of April 2015.

s/ J. DANIEL BREEN
CHIEF UNITED STATES DISTRICT JUDGE